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09/690,657

Thomas C. Thompson  
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Makakilo, HI 96707  
September 15, 2008

United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attention: Office Of Petitions  
Kenya A McLaughlin, Petitions Attorney

Dear Ms. McLaughlin,

In June, 2003, I received an Office Action from the USPTO. It had my name and address, but was for a different person and had a different application number. I called the USPTO and they said to mail it back, which I did.

In August, 2003, I received a Notice of Drawings from the USPTO. This also had my name and address, but had someone else's application number. A copy of that cover page was received by the Petitions Office previously.

In December, 2003, I received a Notice Of Abandonment that had my name, my address, and my application number (09/690,657). I could not believe it, since I hadn't received any communication on this application after I sent in my response on February 24, 2003. I also had seven other patent applications pending so I could not know that the wrong office actions I received had anything to do with this application. Plus, the examiner had left the USPTO.

When I received the latest petition response mailed 07/21/08, I called the Inventors Assistance Center. They looked up my application and said an Office Action was mailed from the USPTO on June 18, 2003. It also says a response was received on July 22, 2003. I always use the full three months or more. I believe that another applicant received that Office Action meant for me,

and mailed it back to the USPTO. That would be the response received by the USPTO on July 22, 2003.

The Inventors Assistance Center could not pull up the July 22, 2003 response on their screen. They said a supervisor could assign a clerk to pull the paper of the July 22, 2003 response to see if it is the June 18, 2003 office action with someone else's name and address that they mailed back to the USPTO.

If the July 22, 2003 response is the June 18, 2003 Office Action with someone else's name and address, it will prove I never received the Office Action. On 08/31/08, I sent a letter to Mr. Richard E. Chilcot, Supervisory Patent Examiner, Art Unit 3635, to see if he could get that file pulled.

I never received a response. I called Mr. Chilcot several times and left messages to call me. I finally called again last week and Mr. Chilcot answered. He said the Inventor's Assistance Center had old information, as he could not pull the file because it was too old.

I also believe that the other applicant's Notice of Drawings that I received in August, 2003, should have been a Notice of Non-Compliance mailed by the USPTO on August 11, 2003.

The copy of the Notice of Drawing with someone else's application number proves I never received a Non-Compliant Amendment.

The Dismissed Petition says that "petitioner must provide a copy of petitioner's logs showing the Office Communication would have been entered if it had been received." In my inventor's log book, the last notation for application 09/690,657 is: "reply sent on 2/24/03." I have enclosed a copy of my log book showing this. Line six from the bottom of the page shows application 09/690,657 as "657".

I hereby affirm that the Office Action I received in June, 2003 was not for my application no. 09/690,657, but was for someone else. I also affirm that the Office Action I received in August, 2003 was for someone else's application. I also affirm that the last Office Action I received pertaining to my application no. 09/690,657, prior to the Notice of Abandonment, was mailed by the USPTO in November, 2002. I also affirm that I have checked all my records, and affirm that I have received no Office Actions for my application no. 09/690,657 between December, 2002 and November, 2003.

Thomas C. Thompson

Date Signed: Sept 15, 2008

This should prove conclusively that I never received an Office Action or Notice of Non-Compliant Amendment related to my application no. 09/690,657 in 2003, and that the delay was caused by the USPTO sending me the wrong applications.

Very respectfully,

  
Thomas C. Thompson

Phone: (808) 672-3107, Fax: (808) 672-3107

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Signature: 

Chris Torres → 735- 4562 H  
 63 H  
 8/08/02

Doc 9/02

11th Cadence  
 with Eagle day  
 1  
 LAWE

2,744,243 (slides shutter)  
 3,382,071 (print grand)  
 3,521,246 (negative play)  
 3,548,900 (bob)  
 3,868,160 (negative)  
 2,559,151 (holding over grand)

Application Invention Examined Mailed Date Sent

✓ 128	Freeze BL	Thm	6/25/02	9/25/02	NE	10/26/02	10/26/02
✓ 046	Fire Freeze	Thm	7/05/02	10/05/02	NE	10/07/02	
✓ 655	Retrfit H10	Garcia	6/25/02	9/25/02	NE	9/25/02	4/10/03 5/12/03
<del>1166</del>							
✓ 931	Barany clip	Katchars	7/02/02	9/02/02	Final	8/30/02	9/30/02
<del>1167</del>							
✓ 1168	Expansion	Green	9/1/02	9/1/02			6/23/03
✓ 1169	Expansion	Green	9/1/02	9/1/02			6/23/03
✓ 657	Shutter O	Dorsey	8/12/02	9/12/02	NE	9/12/02	
✓ 852	CIP	Dyson	9/8/02	9/8/02		9/8/02	
✓ 011	Freeze BL	McDunnit	9/20/02	9/20/02	Final	9/20/02	7/16/03
✓ 998	Original Freeze BL	Horton	10/7/02	1/2/03	NE	1/7/03	
✓ 013	Common clip	Thiscell	10/8/02	11/8/02	NE	10/16/02	
✓ 751	U-belt Stealth	Canfield	10/22/02	12/23/02	Final	12/23/02	3/12/03
✓ 116	1/2 Shattering	Livinge	10/30/02	11/30/02	NE	11/29/02	7/6/03
✓ 657	Shutter O	Dorsey	11/22/02	2/22/03	NE	2/24/03	
✓ 931	Barany Clip	Katchars	11/13/02	2/13/03	NE	2/13/03	
<del>1165</del>							
✓ 655	Retrfit H10	Garcia	12/05/02	2/05/03	Final	2/05/03	3/05/03
✓ 283	Zipper	Chapman	1/14/03	3/14/03	Final	1/30/03	
✓ 046	Fire Freeze	Thm	1/14/03	3/14/03	Final	1/30/03	